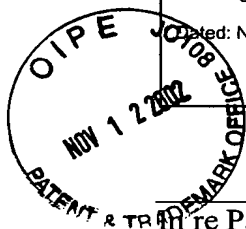


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Dated: November 12, 2002

Signature:

Linda A. Bourg
(Linda A. Bourg)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jeffrey Errington

Attorney Docket No.: P02186US0

Application No.: 09/831,546

Group Art Unit: 1636

Filed: May 10, 2001

Examiner: D. Sullivan

For: BACILLUS STRAIN AND ASSAY METHOD

AMENDMENT

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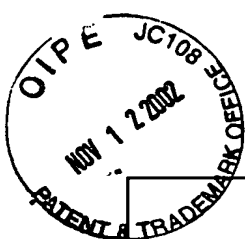
Dear Sir:

In response to the Office Action dated July 9, 2002 (Paper No. 6), please amend the above-identified U.S. patent application as follows:

In the Claims

Please delete claims 1-19. Please add claims 20-52.

20. A *Bacillus* strain capable of growth and sporulation comprising:
- a) a homologous *spoIIIE* gene from another bacterium partly or wholly replacing an endogenous *spoIIIE* gene; and
 - b) two reporter genes, wherein each reporter gene is operatively linked to a promoter and responsive to the action of σ^F during sporulation; and wherein the first reporter gene is located in a segment of the DNA that is



11-13-02

1636

AMENDMENT TRANSMITTAL LETTER

Docket No.
HO-P02186US0Application No.
09/831,546Filing Date
May 10, 2001Examiner
Not Yet AssignedArt Unit
N/A

Applicant(s): Jeffrey Errington

Invention: BACILLUS STRAIN AND ASSAY METHOD

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	33	- 25 =	8	x 9.00	72.00
Independent Claims	3	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (Extension of Time):					55.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					127.00

☐ Large Entity☒ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☒ A check in the amount of \$ 72.00 to cover the filing fee is enclosed.☒ A check in the amount of \$55.00 to cover the one month extension of time is enclosed..☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 06-2375
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.Thomas D. Paul
Attorney Reg. No.: 32,714

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Dated: November 12, 2002

FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
(713) 651-5325

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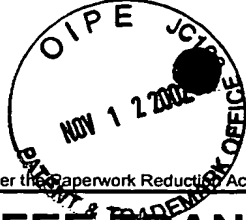
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Amendment Transmittal

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Signature: (Linda A. Bourg)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0032

FEE TRANSMITTAL for FY 2003 <small>Patent fees are subject to annual revision.</small>		Complete if Known																																											
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/831,546																																										
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	May 10, 2001																																										
127.00		First Named Inventor	Jeffrey Errington																																										
		Examiner Name	Not Yet Assigned																																										
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<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td></td><td></td><td>1001</td><td>740</td><td>Utility filing fee</td><td></td></tr><tr><td></td><td></td><td>1002</td><td>330</td><td>Design filing fee</td><td></td></tr><tr><td></td><td></td><td>1003</td><td>510</td><td>Plant filing fee</td><td></td></tr><tr><td></td><td></td><td>1004</td><td>740</td><td>Reissue filing fee</td><td></td></tr><tr><td></td><td></td><td>1005</td><td>160</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>0.00</td></tr></tbody></table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1001	740	Utility filing fee				1002	330	Design filing fee				1003	510	Plant filing fee				1004	740	Reissue filing fee				1005	160	Provisional filing fee		SUBTOTAL (1)					0.00		
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SUBMITTED BY		Complete (if applicable)																																											
Name (Print/Type) Thomas D. Paul		Registration No. 32,714																																											
Signature <i>Thomas D. Paul</i>		Telephone (713) 651-5325																																											
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